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James L. Murphy III  
(615) 252-2303  
Fax (615) 252-6303  
Email jlmurphy@boultcummings.com

April 28, 2004 T.R.A. DOCKET ROOM

Honorable Deborah Taylor Tate, Chairman  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, TN 37243-0505

In Re: Docket No 00-00873; Proposed Revision of Proposed Authority Rule  
1220-4-2-.07

Dear Chairman Tate

At the workshop on April 8, 2004, the Authority suggested that MCI provide alternative language to that part of the proposed revision which requires 48 hours advance notification of disconnection and that the underlying carrier obtain Authority approval, "if there is evidence of fraud or abuse or unreasonable interference " MCI suggested at the workshop that carriers should not have to obtain Authority approval in these types of situations, which not only are exigent, but for which the legal consequences to the underlying carrier are potentially grave if in fact fraud or abuse has not occurred Hence underlying carriers would not lightly exercise the right to disconnect resellers for fraud or abuse Alternatively, MCI suggested the proposed revised rule be amended to state that, instead of having to obtain Authority approval, the underlying carrier may proceed to disconnect unless the Authority *disapproves* the action Hence MCI proposes the following alternative language for the proposed revised Rule 1220-4-2-.07 (3)(a)(1), if the Authority proceeds with a revision of the proposed rule (deletions of and additions to the existing proposed revised language are in brackets and in bold, respectively)

The underlying carrier is allowed to disconnect the reseller after a 48 hour notice [and approval by] to the Authority [chairman], **unless, by the end of such period the Authority has disapproved the disconnection,** if [there is evidence of] **the underlying carrier alleges** fraud or abuse or unreasonable interference with the underlying carrier's network If this emergency provision is invoked the underlying carrier is still required to comply with section (4)(e), (f) and (g).

This modification would accomplish the goals of notification to and opportunity for the Authority to disapprove the disconnection, while recognizing the need for prompt action by the underlying carrier

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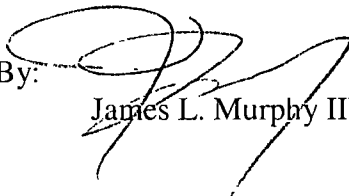
414 UNION STREET • SUITE 1600 • PO BOX 198062 • NASHVILLE • TN • 37219  
TELEPHONE 615 244 2582 FACSIMILE 615 252 6380 www.boultcummings.com

As expressed at the workshop, MCI shares the concerns of other carriers with regard to the proposed revision of these proposed rules. Several carriers, including MCI, voiced concerns regarding whether an intercept device is technically feasible. Although MCI believes only warm dialtone, rather than basic local exchange service, should be provided by the underlying carrier, MCI does not agree with BellSouth that BellSouth's warm dialtone should allow access to BellSouth's (and *only* BellSouth's) business office, besides access to 911. Like AT&T, MCI is concerned that the proposed rule in effect encourages end users to remain with the underlying carrier. Finally, in no event should there be a mandated period longer than 30 days in which to provide notice to a reseller that service will be terminated, should these or the original proposed rules be enacted.

Thank you for your consideration in this matter.

Very truly yours,

BOULT, CUMMINGS, CONNERS & BERRY, PLC

By:   
James L. Murphy III

cc Kennard B Woods, MCI

## CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing has been hand delivered or mailed to the following persons on this the 28th day of April, 2004.

Guy M. Hicks  
BellSouth Telecommunications, Inc  
333 Commerce Street, Suite 2101  
Nashville, TN 37201-3300

Charles B. Welch, Esq  
Farris, Mathews, et al  
618 Church Street, Suite 300  
Nashville, TN 37219

Dana Shaffer, Esq.  
NextLink  
105 Molloy Street, #300  
Nashville, TN 37201

John B. Adams  
Citizens Communications  
250 S. Franklin Street  
Cookeville, TN 38501

Martha Ross-Bain, Esquire  
AT&T  
1200 Peachtree Street, Suite 8100  
Atlanta, GA 30309

Bruce H. Mottern  
TDS Telecom  
P.O. Box 22995  
Knoxville, TN 37933-0995

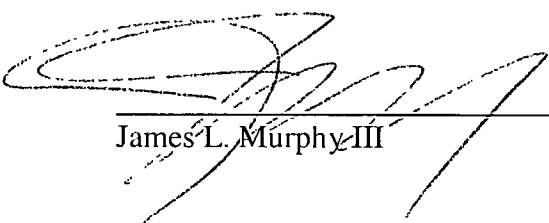
James B. Wright, Esq.  
Sprint Communications  
14111 Capital Blvd  
Wake Forest, NC 27587

Timothy Phillips, Esq.  
Office of Tennessee Attorney General  
P.O. Box 20207  
Nashville, TN 37202

Henry Walker, Esq.  
Boult, Cummings, Conners & Berry PLC  
414 Union Street, Suite 1600  
Nashville, TN 37219

Dale Grimes, Esq.  
Bass, Berry & Sims  
315 Deaderick Street, Suite 2700  
Nashville, TN 37238-3001

Andrew O. Isar, Esq  
Telecommunications Resellers Association  
4312 92nd Ave., NW  
Gig Harbor, WA 98335

  
James L. Murphy III